IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

WEDNESDAY, THE 31ST OCTOBER 2007 / 9TH KARTHIKA 1929

LA.App..No. 231 of 2003()

LAR.308/1998 of ADDL.SUB COURT,PARAVUR
.....

APPELLANT: ADDL.2ND RESPONDENT

KOCHI INTERNATIONAL AIRPORT SOCIETY
REP.BY ITS MANAGING DIRECTOR, ANGAMALY.

BY ADV. SRI.N.N.SUGUNAPALAN

RESPONDENTS: CLAIMANTS & 1ST RESPONDENT
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1. OUSEPH S/O. PAULO, KARUMATHY,
NAYATHODE KARA, ANGAMALY VILLAGE, ALUVA TALUK

2. STATE OF KERALA, REP.BY DISTRICT
COLLECTOR, ERNAKULAM, ERNAKULAM DISTRICT.

BY GOVT.PLEADER SMT.K.R.DEEPA

THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD ON 31/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KURIAN JOSEPH & HARUN-UL-RASHID, JJ.

L.A.A.No.231 of 2003

Dated this the 31st day of October, 2007

JUDGMENT

Kurian Joseph,J.

Since there is no appearance for the parties in C.M.P.No.730/2003 it is not necessary to issue further notice in the appeal. The appellant is the requisitioning authority and it is aggrieved by the judgment and decree in L.A.R.No.308/1998 on the file of the Sub Court, North Paravur. It is seen that the reference court has fixed the land value granting an enhancement at 96% over and above the value fixed by the Land Acquisition Officer. In L.A.A.No.412/2001 and several connected cases this court held that the enhancement shall be limited to 45% over and above the land value fixed by the Land Acquisition Officer. Accordingly we partly allow the appeal holding that the respondents-claimants shall be entitled to land value only at 45% over and above the land value fixed by the Land Acquisition Officer. They shall also be entitled to all the consequential statutory benefits including interest on solatium.

(KURIAN JOSEPH, JUDGE)

(HARUN-UL-RASHID, JUDGE)

ahg.

KURIAN JOSEPH &
HARUN-UL-RASHID, JJ.

L.A.A.No.231 of 2003

JUDGMENT

31st October, 2007